MERCHANT & GOULD P.C.

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

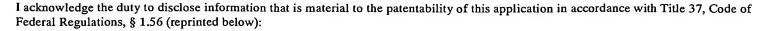
As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors

are named below) of the subject n FULLERENE CRYSTAL AND N		hich a patent is sought on the inven	tion entitled:	
The specification of which	ALTHOD FOR TRODUCING 11	THE SAME		
a. is attached hereto				
	cation serial no. and was a	amended on (if applicable) (i	n the case of a PCT-filed	
	d in international no. PCT/JP2004	4/000087 filed on January 8, 2004 a		
I hereby state that I have reviewed any amendment referred to above		the above-identified specification, is	acluding the claims, as amended by	
	and have also identified below an on the basis of which priority is o	es Code, § 119/365 of any foreign a ny foreign application for patent or claimed:		
b. Such applications have been				
FOF	EIGN APPLICATION(S), IF ANY, C	LAIMING PRIORITY UNDER 35 USC	119	
COUNTRY	APPLICATION NUMBER	DATE OF FILING	DATE OF ISSUE	
		(day, month, year)	(day, month, year)	
Japan	2003-004126	10 January 2003		
Japan	2003-004127	10 January 2003		
Japan	2003-004128	10 January 2003		
ALL FOR	EIGN APPLICATION(S), IF ANY, FII	LED BEFORE THE PRIORITY APPLIC	CATION(S)	
COUNTRY	APPLICATION NUMBER	DATE OF FILING	DATE OF ISSUE	
		(day, month, year)	(day, month, year)	
below and, insofar as the subject the manner provided by the first p	natter of each of the claims of thi aragraph of Title 35, United State , Code of Federal Regulations, §	0/365 of any United States and PC is application is not disclosed in the es Code, § 112, I acknowledge the 1.56(a) which occurred between the	prior United States application in duty to disclose material	
U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year) STATU	STATUS (patented, pending, abandoned)	
I hereby claim the benefit under T	itle 35, United States Code § 119	P(e) of any United States provisiona	al application(s) listed below:	

U.S. PROVISIONAL APPLICATION NUMBER

DATE OF FILING (Day, Month, Year)



§ 1.56 Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;

or

- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application:
 - (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.
- (e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

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	Reg. No. 31,535		
Kowalchyk, Katherine M.	Reg. No. 36,848		
Lamberty, Michael Larson, James A.	Reg. No. 50,760		
·	Reg. No. 40,443		
I hereby outhorize them to get an	ed rale an instructions from a		

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I understand that the execution of this document, and the grant of a power of attorney, does not in itself establish an attorney-client relationship between the undersigned and the law firm Merchant & Gould P.C., or any of its attorneys. Please direct all correspondence in this case to Merchant & Gould P.C. at the address indicated below:

Merchant & Gould P.C. P.O. Box 2903 Minneapolis, MN 55402-0903

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2	Full Name Of Inventor	Family Name YOSHII	First Given Name Tetsuro State or Foreign Country Japan		Second Given Name
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Signa	Signature of Inventor 201: Tetsuro Yoskii			Date:	March 31. 2005